

106TH CONGRESS
1ST SESSION

S. 1873

To delay the effective date of the final rule regarding the Organ Procurement and Transplantation Network.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 5, 1999

Mr. SESSIONS (for himself, Mr. HUTCHINSON, Mr. WARNER, Mr. TORRICELLI, Mr. MACK, Mr. SHELBY, Mr. NICKLES, Mr. INHOFE, Mr. THURMOND, Mr. ASHCROFT, Mr. MCCONNELL, Mr. ROBERTS, Mr. KOHL, Mr. FEINGOLD, Mr. CLELAND, Mr. HOLLINGS, Mr. BREAUX, Mr. GRAHAM, Ms. COLLINS, Mr. GRAMS, Mr. LAUTENBERG, Mr. ENZI, Mr. MURKOWSKI, Mr. GORTON, Mr. LANDRIEU, Mr. ROBB, and Mrs. LINCOLN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To delay the effective date of the final rule regarding the Organ Procurement and Transplantation Network.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. NULLIFICATION AND REQUIREMENT FOR FUR-**
4 **THER RULEMAKING.**

5 (a) LIMITATION.—Notwithstanding any other provi-
6 sion of law, the final rule relating to the Organ Procure-
7 ment and Transplantation Network, promulgated by the

1 Secretary of Health and Human Services and published
2 in the Federal Register on April 2, 1998 (63 Fed. Reg.
3 16296 et. seq. adding part 121 to title 42, Code of Federal
4 Regulations) and amended on October 20, 1999 (64 Fed.
5 Reg. 56649 et seq.)), shall have no force or legal effect.

6 (b) NO IMPLEMENTATION OR AUTHORITY.—The Sec-
7 retary of Health and Human Services shall not implement
8 or exercise further regulatory authority with respect to the
9 Organ Procurement and Transplantation Network, as well
10 as regulatory authority under sections 1102, 1106, 1138,
11 and 1871 of the Social Security Act (42 U.S.C. 1302,
12 1306, 1320b-8, and 1395hh), prior to the date of enact-
13 ment of amendments to reauthorize and revise part H of
14 title III of the Public Health Service Act (42 U.S.C. 273
15 et seq.).

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